

87th Congress
2d Session

A B I L L

To amend the Internal Security Act of 1950.

Be it enacted by the Senate and House of Representatives
of the United States of America in Congress assembled, That
the Internal Security Act of 1950 (⁶⁴ Stat. 987 et seq.) is
amended by adding at the end thereof the following new title: .

"TITLE III--GENERAL

"Personnel Procedures in National Security Agency

"Sec. 301. (a) Subject to the provisions of this section,
the Secretary of Defense (hereafter in this section referred
to as the 'Secretary') shall prescribe such regulations
relating to continuing security procedures as he may deem
necessary to assure--

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"(1) that no person shall be employed in, or detailed or assigned to, the National Security Agency (hereafter in this section referred to as the 'Agency'), or continue to be so employed, detailed, or assigned; and

"(2) that no person so employed, detailed, or assigned shall have access to any classified information; unless such employment, detail, assignment, or access to classified information is clearly consistent with the national security.

"(b) Except as otherwise provided in this subsection, no person shall be employed in, or detailed or assigned to, the Agency unless he has been the subject of a full field investigation in connection with such employment, detail, or assignment, and is cleared for access to classified information in accordance with the provisions of this section. The Federal Bureau of Investigation of the Department of Justice shall conduct the full field investigation required by this subsection in the case of any position in the Agency designated by the Secretary as a key position, and in the case of any detail or assignment of a person to the Agency for the performance of duties designated by the Secretary as key duties.

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During any period of war declared by the Congress, or during any period when the Secretary determines that a national disaster exists, or in exceptional cases in which the Secretary makes a determination in writing that his action is necessary or advisable in the national interest, he may authorize the employment of any person in, or the detail or assignment of any person to, the Agency, and may grant to any such person access to classified information, on a temporary basis, pending the completion of the full field investigation and the clearance for access to classified information required by this subsection, if the Secretary determines that such action is clearly consistent with the national security.

"(c) In order to assist the Secretary in carrying out his duties under this section, he shall appoint, from among the personnel of the Department of Defense, one or more boards of appraisal of three members each, which boards shall appraise, and submit to the Secretary (or his designee for such purpose) a report and recommendations with respect to the loyalty, suitability, and fitness of any person in connection with--

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- "(1) his employment in the Agency; or
- "(2) his detail or assignment to perform duties in the Agency; and
- "(3) his clearance for access to classified information.

Each member of any such board shall be specially qualified and trained for his duties as a member of such a board, shall have been the subject of a full field investigation by the Federal Bureau of Investigation of the Department of Justice in connection with his appointment as a member of any such board, and shall have been cleared by the Secretary for access to classified information at the time of such appointment. No person shall be employed in, or detailed or assigned to, the Agency, or cleared for access to classified information, contrary to the recommendations of any such board, unless the Secretary (or his designee for such purpose) shall make a determination in writing that such employment, detail, assignment, or access to classified information is in the national interest.

"(d) For the purpose of conducting any investigation under this section, other than an investigation required to be conducted by the Federal Bureau of Investigation of the Department of Justice, the Secretary is authorized to utilize the services of any investigative agency of the United States, with the consent of the head of such agency.

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"(e) Notwithstanding the provisions of section 6 of the Act of August 24, 1912 (5 U. S. C. 652), or of any other law, the Secretary (or his designee for such purpose) may terminate the employment of any officer or employee of the Agency whenever he deems it to be in the interest of the United States. Termination of employment under this section shall not affect the right of the officer or employee involved to seek or accept employment with any other department or agency of the United States if he is otherwise eligible for such employment.

"(f) For the purposes of this section, the term 'classified information' means information which, for reasons of national security, is specifically designated by a United States Government Agency for limited or restricted dissemination^{or} distribution.

"(g) The first sentence of section 2 of the Act of May 29, 1959 (50 U.S.C. 402 note), is amended by inserting ', without regard to the civil service laws,' immediately after 'and to appoint thereto'.

"(h) Subsection (b) of section 2 of the Performance Rating Act of 1950 (5 U.S.C. 2001(b)) is amended--

"(1) by striking out the period at the end of paragraph (13) and inserting in lieu thereof a semicolon; and

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"(2) by adding at the end thereof the following
new paragraph:

"(14) The National Security Agency."